

## REMARKS

Claims 1, 3-4 and 8 are pending in this application. Previously presented claims 5-7 have been cancelled. Claim 8 is new. No new matter has been added.

The Examiner has objected claims 4 and 5 and rejected claims 1, 3-4 under 35 USC 112, second paragraph, as being indefinite. Moreover, claim 1 and 3-7 have been rejected under 35 USC 103(a) as being unpatentable over Distefano et al. (US 6,903,930) in view of Sasaki (US 6,637,505) and further in view of Chen et al. (US 6,826,047), respectively.

First of all, the Examiner's advice on erroneous claimed foreign priority application is appreciated. However, the finality of this Office action is requested for reconsideration. Since the Examiner asserts Chen, the new citation, is for teaching the conventionality of mounting a fan directly to a heat dissipating device, but this limitation is already included in the original claim 3. Moreover, the Examiner asserts Sasaki, the old citation, teaches all the new limitations added in the last amendment. Therefore, Applicant's last amendment did not necessitate the new ground(s) of rejection and the finality of rejection should be withdrawn.

Furthermore, Applicant has amended claims 1 and 4 to avoid the informality and the indefiniteness. Therefore, it is requested the objection and the §112 rejection be withdrawn.

Referring to Applicant's Figure 4, in the amended claim 1, the first dissipating fin module 31 is mounted on the CPU 21 and the second heat dissipating fin module 32 is abutted to and aligned with the first dissipating fin module 31. Plural ventilative openings 41 and 51 opened on the left side board 4 and right side board 5 face the second heat dissipating fin module 32 and the first dissipating fin module 31, respectively. In the claim 3, the first heat dissipating fan 33 and the second heat dissipating fan 34 are mounted on the first heat

dissipating fin module 31 and the second heat dissipating fin module to face towards the ventilative openings 51 and 41 respectively. As such, in amended claim 4, the wind can be drawn from right side to left side flowing through the heat dissipating device 31 and 32 to take away heat of CPU 21. Moreover, in newly added claim 8, the first heat dissipating fin module 31 and the second heat dissipating fin module 32 are parallel to stack each other.

In comparison, DiStefano's first or second remote heat exchanger 110 or 120 is away from and is not aligned with the direct attach heat exchanger 20. Sasaki's heat dissipating fin 6 or 26 is not mounted on the heat generating element 8 or 28. Chen's first fan 30 and second fan 36 are not alignedly formed on opposite sides of the cooling module 24.

Therefore, Applicant respectfully traverses Examiner's rejections. It is noted that to establish a *prima facie* case of obviousness three basic criteria must be met. First, there must be suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or the combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claimed limitations.

There is not any suggestion or desirability for DiStefano combining Sasaki or further combining Chen to obtain the pending claims 1, 3-4 and 8. Further, even if DiStefano should be modified or combined by the teaching of Sasaki and Chen, no reasonable expectation of success is foreseeable. Thirdly, the combination does not teach or suggest all the claimed limitations, particularly the detail arrangement of Applicant's entire heat dissipating structure.

Therefore, the Examiner does not meet with the requirement of establishing a *prima facie* case of obviousness.

In view of the foregoing, the application is believed to be in condition for allowance. Entry of the amendments and issuance of a Notice of Allowance is therefore respectfully requested. If any additional fee is required, please charge Deposit Account Number 502751.

Respectfully submitted,

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